

LUD 5466.7 DIV (10112540)

CERTIFICATE OF FACSIMILE TRANSMITTAL

I hereby certify that this correspondence is being transmitted via telecopy pursuant to 37 CFR 1.8 to Group 1642, Examiner Larry Helms of the United States Patent & Trademark Office at fax number (703) 308-4242 on January 30, 2004.

Fani Malikouzakis
(Name of Transmitter)

Fani Malikouzakis
(Signature)

RECEIVED
CENTRAL FAX CENTER

JAN 30 2004

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Elisabeth STOCKERT et al.

Application No.: 10/023,182

Group Art Unit: 1642

Filed: December 17, 2001

Examiner: Larry R. Helms

For: ISOLATED NUCLEIC ACID MOLECULES
ENCODING ESO-1 PEPTIDES AND USES
THEREOF

**RESPONSE TO RESTRICTION REQUIREMENT
AND AMENDMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement dated January 20, 2004, applicants elect Group II, claims 32-37 and ask that the application be amended as follows:

IN THE CLAIMS

Claims 1-31. (Cancelled).

Claims 32. (Previously presented) An isolated protein consisting of an immunoreactive portion of the protein encoded by an isolated nucleic acid molecule, the complementary sequence of which hybridizes to the nucleotide sequence of SEQ ID NO: 1, at 65°C for 18 hours, followed by four one hour washes at 2xSSC, 0.1% SDS, and a final wash at 0.2xSSC.

LUD 5466.7 DIV (10112540)

- Claim 33. (Previously presented) The isolated protein of claim 32, wherein said protein is processed by a cell to form a peptide which complexes to an MHC molecule and provides a T cell response.
- Claim 34. (Previously presented) The isolated protein of claim 33, wherein said MHC molecule is a Class II molecule.
- Claim 35. (Previously presented) The isolated protein of claim 33, wherein said MHC molecule is a Class I molecule.
- Claim 36. (Previously presented) A composition comprising the isolated protein of claim 32, and an adjuvant.
- Claim 37. (Previously presented) The composition of claim 36, wherein said adjuvant is a saponin, GM-CSF, or an interleukin.
- Claim 38. (Cancelled)
- Claim 39. (Cancelled)
- Claim 40. (New) The isolated protein of claim 32, wherein said immunoreactive portion of the protein is an amino acid sequence of a tumor rejection antigen.
- Claim 41. (New) The isolated protein of claim 40, wherein said amino acid sequence is the amino acid sequence set forth in SEQ ID NO: 4, 5, or 6.

LUD 5466.7 DIV (10112540)**REMARKS**

Claims 32-37 are elected, and claims 40 and 41 are presented for examination together with claims 32-37.

The response constitutes a proper election.

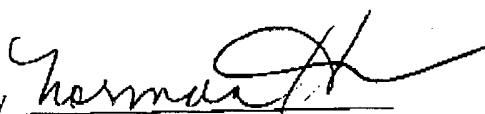
Point 1 of the Restriction Requirement is not understood.

Examination of the application is believed proper, and is urged.

Applicant believes no fee is due with this request. However, if a fee is due, please charge our Deposit Account No. 50-0624, under Order No. **LUD 5466.7 DIV (10112540)** from which the undersigned is authorized to draw.

Respectfully submitted,

666 Fifth Avenue
New York, New York
(212) 318-3000
(212) 318-3400 (fax)

By 
Norman D. Hanson
Registration No.: 30,946
FULBRIGHT & JAWORSKI L.L.P.
Attorney for Applicant